

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

ASHTON HUGHES, JOSHUA VANDUSEN, )  
SHANNON HELMERS, and )  
CHARLES DODSON, )

Plaintiffs, )

v. )

DENISE JACKSON and RVSHARE, LLC, )

Defendants. )

4:19-CV-28

Judge Curtis L. Collier

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DENISE JACKSON, )

Counter-Plaintiff, )

v. )

ASHTON HUGHES, *et al.*, )

Counter-Defendants. )

Magistrate Susan K. Lee

**ORDER**

Before the Court is a motion by Counter-Defendants Joshua VanDusen, Shannon Helmers, and Charles Dodson to dismiss the counterclaim of Counter-Plaintiff, Denise Jackson, against them for failure to state a claim under Federal Rule of Civil Procedure 12(b)(6). (Doc. 36.) Counter-Defendant Ashton Hughes did not join the motion (*see id.*), but filed an answer to the counterclaim (Doc. 37). Counter-Plaintiff responded on September 26, 2019, agreeing to the dismissal of her counterclaim against these Counter-Defendants, but asking that the dismissal be without prejudice. (Doc. 39.) Counter-Defendants have not responded to Counter-Plaintiff's

request that the dismissal be without prejudice, and the time for them to file their optional reply brief has expired. *See* E.D. Tenn. L.R. 7.1(a).

For good cause shown, the motion (Doc. 36) is **GRANTED**. Counter-Plaintiff's counterclaim is **DISMISSED WITHOUT PREJUDICE** as to Counter-Defendants Joshua VanDusen, Shannon Helmers, and Charles Dodson.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**UNITED STATES DISTRICT JUDGE**